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# Notable Maryland Women



Published in conjunction with the  
Maryland Bicentennial Commission

TIDEWATER PUBLISHERS/Cambridge, Maryland

1977

## VIVIAN V. SIMPSON, 1903- Practicing Lawyer

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To Maryland women, Vivian Simpson is the modern suffragist—a woman who has chosen a career considered principally a man's domain, and because of ability and hard work, achieved distinction.

Vivian Simpson was born in Washington, D.C., on March 16, 1903, one of four children born to Joseph B. Simpson and Laura G. Simpson. Her father was a merchant, and both her parents were of Virginia ancestry, with her father being the first of his family to leave that state. In 1908 the family moved to Takoma Park, Maryland, which at that time consisted of only about eight houses between there and Silver Spring. She remembers her father's great interest in his community and the problems it faced as it grew larger.

She began her undergraduate work as a student at the University of

Maryland. As a result of an alleged infraction of student rules, she was expelled for refusing to conform to school discipline. The primary violation charged was making fudge after the lights were out. Miss Simpson denied making it but admitted eating it. In March 1924, she sued the University Board of Regents and Dr. Albert Woods for reinstatement. Vivian Simpson, less than five-feet-two, blue-green eyes, a firm mouth, and long dark straight hair in two buns at the back of her head, disputed the charges as unjust. She sought a writ of mandamus stating she wanted only those privileges given to male students. The University answered through Dr. Woods that Miss Simpson had violated the "lights out" rule, the rule requiring outgoing students to register, and had disturbed the quiet hour by playing the talking machine and making fudge. Miss Simpson also was charged as having maintained an independent attitude toward University officials and having been the cause of much dissension among women students. She had even tried to establish a chapter of a national women's fraternity on the campus, another violation of a University rule. The state's highest court, the Court of Appeals, decided against her in *Woods vs Simpson*, 126 A. 882. It is of interest that some of the privileges considered so shocking in 1924 are routinely enjoyed by coeds throughout the country today. A career in pioneering for equal treatment for women had begun.

Miss Simpson completed her undergraduate work at George Washington University in 1925, got her law degree in 1927, receiving the Order of the Coif, an honor bestowed on graduates who have distinguished themselves academically. In 1928, she was admitted to the District of Columbia Bar without examination immediately following her admittance to the Maryland Bar, because of her high scholarship. She has maintained an office for the general practice of law in Rockville, Maryland, continuously since April 15, 1928. Her brother, Joseph B. Simpson, Jr., is her partner.

In April 1930, Miss Simpson along with other women's rights advocates, Helen Elizabeth Brown, Helen Sherry and Emilie Doetsch, visited President Herbert Hoover urging him to support United States opposition to any convention of the World Conference on the Codification of International Laws not based on equality between men and women. In 1938 she was appointed co-counsel with her brother to the County Commissioners of Montgomery County and held this position until 1940.

Her next move was to statewide service. Before the State Industrial Accident Commission was established, a man or woman worker had little or no recourse against an employer. When an individual took a job, the implication was that the employee assumed the risks of his employment, not the employer. To recover any compensation for serious accidents on the job, he had to file a suit, a process which could be both lengthy and expensive. Maryland was a leader in the field of workman's compensation, yet the first Maryland legislation in this field was found to be unconstitutional. The second effort passed its court tests, and Maryland then had a State Industrial Accident Commission.

Governor O'Connor appointed Vivian Simpson to fill out an unexpired term on the State Industrial Accident Commission, and then she was reappointed twice, serving for a total of seven years in all (1940-1947). In one of those years she heard 1,408 cases! She was the first woman appointed to the Commission, and she also served as Vice-chairman of the Commission to Study Workman's Compensation Laws of Maryland. Cases heard by the Commission were primarily brought by men, because men usually were in the heavy-industry, extra-hazardous employments. She heard cases of all types in the cities of Cumberland, Hagerstown and Frederick; in Montgomery, Prince Georges, Calvert and Charles Counties; and in the Baltimore area.

She was described by a Baltimore attorney in this way, "During her tenure as a member of the State Industrial Accident Commission, Miss Simpson earned the admiration of every attorney who practiced before her. In conduct of hearings, she was impartial, patient, scholarly and industrious. Her civility and temperate disposition made litigants and attorneys feel completely at home in her courtroom." The tribute was from a male member of the bar.

During her service with the Commission she had managed to continue her own private practice, and soon she wanted to return to it full time. A majority of her clients, according to Miss Simpson, are men, and she has tried every kind of case including a well-known murder case.

At the time she was elected President of the Montgomery County Bar Association (1948-1949), Vivian Simpson was one of four women lawyers out of a total membership of 82. She was the first active member of her sex in the Association, as well as its first woman president.

Largely through her efforts, Montgomery County agreed to provide \$2500 a year to maintain a law library in its Court House. The Montgomery County Bar Association began with a fund of \$300, and Miss Simpson drafted a bill, which was passed by the General Assembly, to make financial support a reality. She also participated in writing the Constitution and Bylaws of the Montgomery County Bar Association, inserting a provision that no president might succeed himself.

In December 1949, Maryland Governor William Preston Lane, Jr., announced the appointment of Vivian V. Simpson as Secretary of State, the first woman so honored. She began her term of office, which was to last until 1951, on December 15, 1949. Her appointment was hailed by both sexes because it gave recognition to women and to Miss Simpson's outstanding qualifications. The Montgomery County Courts declared a one-day holiday for Miss Simpson's swearing-in ceremonies by assigning no cases for that day.

Her memories include some interesting "firsts." She was the first woman to participate on the Oxford Debating Team in Washington, D.C. when Calvin Coolidge was president. She received the Alumnae Achievement Award from George Washington University, May 31, 1950, at commencement exercises. The award read, "For notable achievement in public service." Viv-

ian Simpson claims she is no careerist but decided early in her education not to learn to type so that she couldn't possibly wind up being a stenographer.

In 1958-59 she served as vice-president of the Maryland State Bar Association and is a member of the American Bar Association and the American Judicature Society. She is a fellow in the American College of Probate Counsel. Her latest appointment by the Maryland State Bar Association is to the Judicial Appointments Committee for the 1975-1977 term. Among members of the legal profession this is a prestigious appointment.

Miss Simpson says that it has been her experience "that people that were equally endowed were on an equal basis—that is the kind of treatment I have always had, not only from members of the bar but from the bench as well."

She hopes that other women would look upon her experience as one that would encourage them to enter the legal profession, for she believes that there is not the prejudice against women in the legal profession that some people think exists.

In fact, Miss Simpson might well be regarded as a transition figure among women in the legal profession, one who stands between those earlier pioneers—Margaret Brent, Etta Maddox and even Emilie Doetsch—and those women coming into the profession to full acceptance and as equal partners with their masculine colleagues. Among women lawyers in Maryland's history, Vivian Simpson has joined the ranks of those few women who will mean a great deal to the women lawyers of the future.

### *Brief Bibliography*

Material on Vivian Simpson was obtained through personal interviews; from articles in the *Baltimore News-American* and in the *Baltimore Sun-papers*; and in *Martindale-Hubbell Law Dictionary*, Vol. III, 1973.